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PATENTS

Attorney Docket No. 22681-0002

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Derek P. Freyberg
Derek P. Freyberg, Reg. No. 29,250

2/19/02 Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sasa Krancj et al.

:

App. No.: 09/171,081

:

Art Unit: 1651

Filed: December 14, 1998

:

Examiner: Francisco C. Prats

For: PROCESS FOR THE PREPARATION OF CLAVULANIC ACID

Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE TO FINAL REJECTION

In response to the Office Action mailed December 19, 2001, which action was made Final, please consider the following remarks:

REMARKS

Claims 36-55 are in this application. Claims 36-55 were rejected under 35 USC 112, ¶1. This rejection is respectfully traversed.

Claims 36-55 were rejected under 35 USC 112, ¶1 for lack of written description in the application as filed, with the Examiner stating that:

"Specifically, the recitation of 'a starting stage' phosphorus concentration lacks clear support in the disclosure as originally filed. Nowhere does the original disclosure refer to a critical range of phosphorus at the 'starting' stage of